

State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
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Trenton, NJ 08625-0439
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www.nj.gov/dep/landuse/



DEPARTMENT OF ENVIRONMENTAL PROTECTION
WETLAND MITIGATION BANK
CONCEPTUAL PROPOSAL
CHECKLIST FOR COMPLETENESS

(10-6-08)

These are the submission requirements for an administratively complete conceptual mitigation bank proposal package. Please read each section and place a check in the box after you have fully completed the information for each applicable requirement.

Please provide three copies of the following information and plans.

- ☐ 1. An introduction paragraph which contains the following information:
 - a. Name and address of current and proposed owner(s) of the mitigation bank site;
 - b. Block, lot, township and county the proposed bank site is located;
 - c. Explanation as to why the bank proposal is being pursued;
 - d. Note if there are any easements, right-of-ways and/or deed restrictions on the property;
 - e. A copy of a USGS quad map showing the location of the proposed bank site with the state plane coordinates. The accuracy of these coordinates should be within 50 feet of the actual center point of the site. For linear mitigation projects, the applicant shall provide State plane coordinates for the end-points. For linear mitigation projects 2000 feet in length and longer, the applicant supply additional coordinates at each 1000 foot interval; and
 - f. The ecological suitability of the site to achieve the objectives of the proposed mitigation bank including the physical, chemical and biological characteristics of the bank site and how that site will support the planned types of wetland resources and functions.

- ☐ 2. A description of the size and type of activities proposed within the mitigation bank (creation, enhancement, restoration or preservation etc.) proposed with the required transition areas. The final width of the transition areas will be determined during the Division's bank proposal review. Please note the proposed bank must be at least five (5) acres in size and constructed on private property. If public land is to be used, it must have been acquired for the purpose of wetland mitigation.

- ❑ 3. Provide any available information that indicates that the proposed bank site is not affected by hazardous or solid waste, nor is it affected by surface water, groundwater or soil contamination. Use any available sources of information such as the Department's Geographic Information System data regarding different types of contamination, historic land uses, Sanborn mapping etc.
- ❑ 4. Certification the site contains no structures that present health or safety problems to the general public.
- ❑ 5. Submit one or more appropriate functional assessments as necessary to accurately describe the existing functions and values being provided by the site and provide the same type of functional assessment(s) of the proposed bank conditions in order to accurately describe the functional uplift being proposed and provide justification for proposed credit ratios.
- ❑ 6. Describe how the proposed mitigation bank site interacts with the surrounding regional wetland and aquatic resources.
- ❑ 7. Describe how the proposed mitigation bank site interacts with preserved public open space within the local region. Examples of preserved public open space include: Federal Wildlife Refuges, State Wildlife Management Areas, State parks or forests, State, County or local preservation areas or wetland preservation areas held by non-profit conservation organizations. Preserved Farmland does not constitute preserved public open space.
- ❑ 8. If creation, restoration and/or enhancement are proposed, a draft projected water budget for the proposed mitigation site is required unless the applicant demonstrates that no hydrologic alteration is proposed. The draft water budget should detail the sources of water for the mitigation project as well as the water losses. For the conceptual proposal, as much information as is available should be submitted, even if that information is publicly available generalized information. For example, rainfall data and US Geological Survey stream gauge data are available at no cost online. The water budget for the conceptual proposal should include the following regional information:
 - The daily rainfall for a non-event driven, normal, wet and dry year;
 - If appropriate the depth of the seasonal high water table from collected monitoring well data. The data should be taken several times a week between February and July and then weekly for the rest of the year; and/or
 - If appropriate, the water levels of the stream that supplies water to the mitigation area. The water levels should be collected from stream gauge data taken at least weekly following any major storm event. This should include the average high and average low for the stream; and the mean monthly temperature.

If this information is unavailable, please provide a justification for the proposed hydrology that indicates that the site will have sustained wetland hydrology in perpetuity.

- ❑ 9. Existing soil profiles with the location of soil borings shown on a map of the proposed mitigation site. Please discuss the information that the soil borings have provided. For example, the soil borings indicate that the site consists predominantly of a sandy loam material through which the apparent shallow groundwater moves easily; however, there are some clay lenses that appear to prevent the groundwater from being able to support a hydrophytic community; however, it appears that the clay lenses could be manipulated to capture surface water for a duration that could support a hydrophytic plant community. Or, mottling present in the soil indicates that groundwater is present within 6 inches of the surface throughout the northern portion of the site.

- ❑ 10. A discussion of substrate you propose to create for the mitigation site (e.g. How will the substrate of the site be prepared? How much topsoil will be added? Is the pH appropriate?). Successful mitigation requires that a minimum six inches of topsoil or A-Horizon be used or retained on the mitigation site. If the natural top soil from the site is to be used, it must have at least 8% organic carbon content (by weight) incorporated into the A-horizon for sandy soil and for all other soil types the topsoil must have 12% organic carbon content. If topsoil is imported onto the site it must consist of equal volumes of organic and mineral materials. Do not include the application of lime in your planting specifications unless absolutely necessary (liming a site may cause a more favorable environment for invasive species). Identify the potential for the site to contain acid-producing soils. The final Wetland Mitigation Bank Proposal must certify that the site does not contain acid-producing soils.
- ❑ 11. A conceptual landscape plan showing the proposed species within the proposed vegetative community types within the bank site. The required transition area must also be planted. All species within the proposed seed mixes that will be used within wetlands and transition areas must also be identified and must also be shown on the plan.
- ❑ 12. A narrative summarizing the potential invasive or noxious vegetation and predators that may be present within the proposed bank site and/or that are anticipated to be a problem within the bank site and how these factors will be controlled.
- ❑ 13. Submit a proposed number of credits and the ecological basis of that credit ratio that is based on the functional assessments as described in No. 5 above.
- ❑ 14. Submit a proposed service area and the ecological basis of the extent of that service area. Please keep in mind a banker must be able to defend the ecological basis of the extent of the service area and how the wetland function and values will be replaced at the proposed bank site. This should also utilize the functional analysis as described in No. 8 above.
- ❑ 15. A narrative discussing how proposed mitigation will not adversely affect properties, which are listed or are eligible for listing on the National Register of Historic Places.
- ❑ 16. Documentation that the mitigation site was public noticed in accordance with N.J.A.C 7:7A-10.8.

Proposal packages shall be submitted to:
New Jersey Department of Environmental Protection
Division of Land Use Regulation P.O. Box 439
Trenton, New Jersey 08625-0439
Attn: Jill Aspinwall